

## STATEMENT OF STATUS AND SUPPORT.

### STATUS OF THE CLAIMS:

Claims 1-19 were issued in the '231 patent. The claims 1-19 are cancelled without prejudice. Claims 20-31, 41-82, and 84-88 were cancelled without prejudice. Claims 32 and 83 are amended by this amendment. Accordingly, claims 32-40, 83, and 89-91 remain pending in the application.

### SUPPORT OF CLAIM CHANGES:

Applicants have made amendments to claims 32 and 83.

The amendments to independent claim 32 are shown as follows with only the current additions underlined and strike-out for deletions relative to the last amendment to illustrate the changes relative to that last amendment that was dated January 14, 2011. The basis in the specification for these claim amendments is set forth.

32. (New) A method for managing plural transaction accounts for multiple clients, comprising:

providing a database operatively connected to one or more computers, the database having (i) client information for each of a first plurality of the transaction accounts, and (ii) pooled account information associated with a single insured money market deposit account at a licensed banking institution holding funds from the first plurality of transaction accounts; **[[See at least column 2, lines 54-59, and column 5, lines 31-42, as well as column 2, lines 13-14 and 43-47.]]**

processing, by the one or more computers, client account transaction data comprised from a second plurality of the transaction accounts, the client account transaction data for a respective transaction account comprising data associated with one or more deposits and/or transfers to and/or one or more withdrawals and/or transfers from the respective transaction account during a period of time, wherein during a month period client account transaction data for at least one respective transaction account comprises at least more than six (6)

withdrawals and/or transfers by check and/or debit card and/or ACH debit and/or sweep from said respective transaction account;

determining, by the one or more computers, a net transaction aggregated across all of said transaction data associated with at least the second plurality of the transaction accounts for the period of time, where more than six (6) of the net transactions determined over the month period are negative;

determining, by the one or more computers, a net credit/debit amount based on at least in part the respective net transaction associated with the respective period of time, which corresponds to an amount of funds to deposit and/or transfer to or withdraw and/or transfer from the single insured money market deposit account at the licensed banking institution through a different bank, so that during the month period there are more than six (6) net credit/debit amounts that are negative and correspond to withdrawals and/or transfers from the single insured money market deposit account;

obtaining data, at the one or more computers, for an amount of interest earned in the licensed banking institution on funds held in said single insured money market deposit account;

obtaining data, at the one or more computers, for each of a respective third plurality of the transaction accounts, for a respective amount of interest to be credited to the respective transaction account from the interest earned in the single insured money market deposit account at the licensed banking institution;

distributing by crediting the transaction accounts, using the one or more computers, the interest from said single insured money market deposit account to said transaction accounts based at least in part on the respective amounts of interest obtained for the respective transaction accounts; and

updating, by the one or more computers, the client information and the pooled account information in the database, taking into consideration at least in part the client account

transaction data, the net credit/debit amounts, and the amounts of interest credited to the respective transaction accounts. **[[See at least column 5, lines 31-42.]]**

83. (New) The method of claim 32, wherein for the step of determining a net transaction by aggregating across all transaction account deposits and withdrawals of the second plurality of the transaction accounts, one or more of the withdrawals are made by at least a debit card. **[[This change removes an ambiguity. For basis, see at least the Abstract and column 1, line 37, column 2, line 49, column 3, lines 26-27, and claims 2, 5, 8.]]**

## INTERVIEW SUMMARY

An telephone interview between the examiner and the undersigned was held on February 10, 2011. Mr. Charles Macedo of the Amster Firm, acting as in-house counsel for the assignee, was also in attendance on the telephone call.

The operation of claim 32 was discussed in relation to questions raised by the examiner. In particular, it was noted that the database holds “*client information for each of a first plurality of the transaction accounts,*” e.g., the information might be for a first plurality such as 10,000 transaction accounts (*a first plurality*). However, the system may receive client account transaction data for only 200 transaction accounts (*a second plurality*) within a given day (*a period of time*), e.g., (“*the client account transaction data comprised from a second plurality of the transaction accounts . . . during a period of time*”). It was noted that since as the specification describes (*see* Col. 5, lines 48-51), new transaction accounts can be opened on any given day, the second plurality may include transaction accounts not within the first plurality.

It was also discussed that the claim requires that during at least one month period, client account transaction data associated with at least one of the transaction accounts comprises “*at least more than six (6) withdrawals and/or transfers by check and/or debit card and/or ACH debit and/or sweep from said respective transaction account,*” to thereby indicate that the client transaction account draws more than six of the specified type of withdrawals during a given month period. It was noted that while the client account transaction data may reflect specific withdrawal transactions, it was not required, as long as it reflects information associated with such transactions, such as summary information.

The system then determines a net transaction for this second plurality for the period of time, e.g., “*determining, by the one or more computers, a net transaction aggregated across all of said transaction data associated with at least the second plurality of the transaction accounts for the period of time.*”

The claim also requires that “*more than six (6) of the net transactions determined over the month period are negative,*” and such information is used to cause more than 6 debits

from the single insured money market deposit account at the licensed banking institution. The “*more than six (6) net credit/debit amounts that are negative*” language fits with the requirement in the next step for “*more than six (6) net credit/debit amounts that are negative.*”

As noted in the preceding paragraph, the claim requires the determination of a net credit/debit for the single insured money market deposit account at the licensed banking institution, i.e., “*a net credit/debit amount based on at least in part the respective net transaction associated with the respective period of time, which corresponds to an amount of funds to deposit and/or transfer to or withdraw and/or transfer from the single insured money market deposit account at the licensed banking institution through a different bank, so that during the month period there are more than six (6) net credit/debit amounts that are negative and correspond to withdrawals and/or transfers from the single insured money market deposit account.*” As noted, this “*more than six (6) net credit/debit amounts that are negative*” now fits with the claim language of the preceding step of determining the net transactions for at least one client transaction account that has “*more than six (6) of the net transactions determined over the month period are negative.*” It was noted that an example of a “*different bank*” might be a clearance bank.

Also discussed were the interest related steps of

“*obtaining data . . . for an amount of interest earned in the licensed banking institution on funds held in said single insured money market deposit account;*”

“*obtaining data . . . for each of a respective third plurality of the transaction accounts, for a respective amount of interest to be credited to the respective transaction account from the interest earned in the single insured money market deposit account at the licensed banking institution;*” and

“*distributing by crediting the transaction accounts . . . the interest from said single insured money market deposit account to said transaction accounts . . .*”

The examiner raised questions regarding the connection of the one or more computers to the database, and made a request to clarify the basis on which the updating is being performed. The claim now calls for a database updating step: *“updating, by the one or more computers, the client information and the pooled account information in the database, taking into consideration at least in part the client account transaction data, the net credit/debit amounts, and the amounts of interest credited to the respective transaction accounts.”*

The examiner also raised questions with respect to claim 83 and noted that there was a clerical error on the first page of the supplemental declaration.

It was agreed that applicants would provide amendments to claims 32 and 83 to obviate these concerns, and would submit a new supplemental declaration.

#### **REMARKS**

Claims 32 and 83 are amended by this amendment. Accordingly, claims 32-40, 83, and 89-91 remain pending in the application. As previously stated, the order of claim elements recited in the claims is exemplary only, and not limiting on the claims.

Claim 32 was amended to clarify that the database is connected to the one or more computers, per the examiner’s suggestions. Claim 32 was also amended at the examiner’s request to clarify that the database is being updated *“taking into consideration the client account transaction data, the net credit/debit amounts, and the amounts of interest credited to the respective transaction accounts.”* Note that *“updating”* the database taking into consideration the interest may be performed as part of the *“distributing”* step, or may be performed independently of the *“distributing”* step.

Claim 83 was amended to add at the examiner’s request, the language *“of the second plurality of the transaction accounts,”* to further clarify that the net transaction is for the transactions account of the second plurality.

**UPDATED SUPPLEMENTAL DECLARATION:**

**An updated Supplemental Declaration signed by the inventors will be filed shortly that includes an error listing with specific references to the claims and claim limitations.**

**Accordingly, it is requested that the rejection be reconsidered and withdrawn in view of the foregoing amendment and the new supplemental declaration.**

The examiner should be aware that the following co-pending patent applications disclosed in an IDS relate to similar kinds of products, although the claims are clearly patentably distinct. The most recent action for these applications is listed.

10/825,440 filed 04-14-04 (03/02/10 Office Action rejection—response filed)  
09/677,535 filed 10-02-00 (Issued as U.S. Patent No. 7,752,129)  
10/071,053 filed 02-08-02 (Issued as U.S. Patent No. 7,519,551)  
10/305,439 filed 11-26-02 (Issued as U.S. Patent No. 7,680,734)  
11/149,278 filed 06-10-05 (Issued as U.S. Patent No. 7,672,886)  
10/382,946 filed 03-06-03 (Issued as U.S. Patent No. 7,536,350)  
10/411,650 filed 04-11-03 (Issued as U.S. Patent No. 7,509,286)  
11/641,046 filed 12-19-06 (Office Action—Response filed)  
11/689,247 filed 03-21-07 (Issued as U.S. Patent No. 7,752,107)  
11/767,827 filed 06-25-07 (Issued as U.S. Patent No. 7,668,771)  
11/767,837 filed 06-25-07 (Issued as U.S. Patent No. 7,680,716)  
11/767,846 filed 06-26-07 (Issued as U.S. Patent No. 7,672,901)  
11/767,856 filed 06-25-07 (Issued as U.S. Patent No. 7,672,902)  
11/840,064 filed 08-16-07 (10/15/08 Office Action with rejection—abandonment notice)  
11/840,060 filed 08-16-07 (Issued as U.S. Patent No. 7,769,688)  
11/840,052 filed 08-16-07 (Issued as U.S. Patent No. 7,809,640)  
11/932,762 filed 10-31-07 (Issued as U.S. Patent No. 7,716,131)

12/271,705 filed 11-14-08 (Issued as U.S. Patent No. 7,668,772)  
12/025,402 filed 02-04-08  
12/385,522 filed 04-10-09 (Notice of Allowance)  
12/340,026 filed 12-19-08  
12/408,507 filed 03-20-09  
12/408,511 filed 03-20-09  
12/408,523 filed 03-20-09  
12/453,387 filed 05-08-09  
12/453,388 filed 05-08-09  
12/453,389 filed 05-08-09  
12/453,390 filed 05-08-09  
12/638,544 filed 12-15-09  
12/622,979 filed 11-20-09  
12/684,071 filed 01-07-10  
12/686,797 filed 01-13-10  
12/794,545 filed 06-04-10  
12/794,448 filed 06-04-10  
12/816,092 filed 06-15-10  
12/829,961 filed 07-02-10  
12/953,221 filed 11-23-10  
12/974,974 filed 12-21-10  
13/032,467 filed 02-22-11  
13/032,456 filed 02-22-11.

The examiner is directed to review the file of these other co-pending applications as he deems appropriate, to determine the reasoning and references applied in the current and/or prior office actions, as well as applicants' responses thereto.

The present application is now in condition for allowance.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.



The Commissioner is hereby authorized to charge any deficiency or credit any over-payment to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5485  
Facsimile: (202) 672-5399

By 

William T. Ellis  
Attorney for Applicant  
Registration No. 26,874